IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

W.A.No.2218 of 2006

AGAINST THE JUDGEMENT IN W.P.(C).32224/2004-J DATED 21/07/2005
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APPELLANT: 1ST RESPONDENT IN THE W.P.(C):

THE DEPUTY TAHSILDAR,(RR), NILAMBUR,
MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SRI.T.B.HOOD.

RESPONDENTS: PETITIONER AND 2ND RESPONDENT IN W.P.(C):-
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1. UNNIKRISHNAN.R., S/O.RAMAN NAIR,
ANIKKOTTIL HOUSE, CHOKKAD,
MALAPPURAM DISTRICT.

2. THE PUNJAB NATIONAL BANK,
REP.BY THE BRANCH MANAGER, KALIKAVU BRANCH,
MALAPPURAM DISTRICT.

THIS WRIT APPEAL HAVING COME UP FOR ORDERS ON 30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

V.K.Bali,C.J. & S.Siri Jagan,J.

W.A.No.2218 of 2006 & C.M.Appln.No.1219 of 2006

Dated, this the 30th day of November, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

In this Writ Appeal challenge is to the order dated 21st July, 2005 passed by the learned Single Judge in W.P.(C).No.32224 of 2004-J. It appears from a reading of the judgment that the contesting parties have settled the matter by way of consensus. The surviving dispute as raked up by the State in the present Writ Appeal would pertain only to collection charges. Accompanying the appeal, there is an application for condonation of delay. The delay is 446 days. In the application re. condonation of delay, it is stated that certified copy of the judgment was received on 25.7.2005 and the same was forwarded to the Tahsildar. The Office of District Collector went through the judgment and found that the observations of the learned Single Judge were incorrect. Therefore, the matter was addressed to the Advocate General for further action. Some delay occurred in the office of the Advocate General. Finally legal opinion was given on 12.10.2006 for filing the appeal and the appeal was filed on 13.10.2006. One is at a loss to find reasons for delay in the affidavit, averments whereof have

been referred to above. We do not find any cause least sufficient one seeking condonation of massive delay of 446 days. Dismissed.

In view of the dismissal of the application for condonation of delay, appeal does not survive.

V.K.Bali
Chief Justice

S.Siri Jagan
Judge

vku/-